**Maine Charter School Commission**

111 Sewall Street (physical address)

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Augusta, ME 04333-0182

The Maine Charter School Commission held a meeting on March 5, 2013, at the Cross State Office Building, 111 Sewall Street, Augusta, Maine. The following Members were present: James Banks, Sr., Richard Barnes, John Bird, Jana Lapoint, Shelley Reed, Heidi Sampson and William Shuttleworth.

Bob Kautz, Executive Director; Deanne Lavallee, Administrative Assistant.

CALLED TO ORDER:

Chair, Jana Lapoint called the meeting to order at 1:01 p.m.

ADJUSTMENTS TO THE AGENDA:

None

APPROVAL OF MINUTES:

It was moved by John Bird, seconded by Jim Banks, and unanimously voted by those present to approve the meeting minutes from February 5, 2013.

OFFICER’S REPORTS:

**Chair, Jana Lapoint:**

Education and Cultural Affairs Committee and MSCS Orientation meeting 2-11-13

Very productive meeting with them; they are interested in our work and receptive to MCSC. A number of them who have never have served on this committee before; being brought up to speed.

Funding for Special Education – Public Schools (Regular and Charter) are responsible for three times the amount that the (ESP) state average tuition per special education student. After that amount; any amount beyond goes to a state fund; according to what we have been told, this fund is not capped.

William Shuttleworth: EPS for a special needs student could be $15,000; potentially a $45,000 impact to the school for one student. The balance is not required to be paid by the legislature. This is a concern – ultimately the cost of special education is a local cost. The incidence of handicapping conditions is apt to increase over the next two decades due to infants surviving birth that previously did not. In 1969, the incidence of autism was 1 in 2000 births now it is 1 in 88 births.

**Richard Barnes, Vice Chair:** No comment. Jana: Dick has been to many, many meetings and has been able to make a connection with the people, which has been instrumental in opening many doors for us.

**Bob Kautz, Executive Director:**

Jana, Dick and I are meeting with as many of the Legislators with LR’s or LD’s relating to charter schools to learn their intentions with the proposal and to acknowledge that we (MSCS) are available for discussions related to our work with charter schools. Dick Barnes’ and Jana Lapoint‘s connections with so many people is giving MCSC a more social introduction with the legislators we have met so far. We are not here to take a position for or against; but the commission’s experience should be part of the discussions taking place.

Senator Emily Cain wants to tap into the state’s major investment in digital technology for schools (over 20 years) by supporting the instructional use of technology in the classroom for blended or virtual schools managed by the state or separate organization or like New Hampshire. Virtual classes providing specialized courses, as well as, credit recovery for students. Emily would like to have a workshop on “virtuals;” facts before we get into value issues.

Senator Justin Alfond, with John Newland, is working on a bill for virtual classes available state-wide for the high school level with money (two-million dollars) to support in existing schools. He sees a virtual charter school evolving over time with small steps – professional training for providing educators, content is all in place – thoughtfully going forward. Reason for moratorium to ensure time to study and do it right.

Both Rep. Cain and Sen. Alfond are knowledgeable about virtual models. Not taking a yes or no attitude at this time. They are very interested in the New Hampshire and some of the Florida models.

LD 995 An Act To Establish a Moratorium on the Approval of Virtual Charter Schools – to give time to study all of this and not get committed to all this and find out “well, maybe we should have done something better.”

Florida Virtual - buy the curriculum, own it, purchase an update each year, for as many students as you want over time (years) hire your own teachers, one hundred-twenty courses available, developed over fifteen years, non-profit, state supported. With Florida, there are many ways to tailor how the entity would like to work the program.

Currently, how many students are using virtual programs/classes in Maine schools?

Very concerned about the funding issue i.e. SAU 54. Looking at lessening the formula by which the public schools have to shoulder the loss of funding.

**L.R.1891** An Act to Promote Innovation in Public Schools. The concept he has there is identifying transformational projects/programs; moving toward a standards-based diploma. School districts may not be aware of national programs in existence that you would view as being successful and transformational. He thinks DOE could create a meeting for all school districts and have those transformational programs and information about them presented for people to start thinking about would this be a good way for the district to be able to address the notion of moving to a standards-based education system and there be a website developed to have the material available. Helping to see what might be different than what they are currently doing as a means to move to standards-based. This would also be available to public charter schools.

Governor’s - Choice and Opportunities Grant – Supports room and board at Goodwill- Hinckley for some MeANS students, also offers funds to provide tuition to private, religious schools, etc. Senator Alfond supports MeANS – state-wide school for a particular kind of kid. Goodwill-Hinckley has a 100-year history of success with their population; Alfond foundation supported.

Community School, Gray-New Gloucester, (formerly Opportunity Farm) could have different stream of funds for residential from DHHS.

LR 123 An Act To Provide for Greater Public Input and Local Control in the Chartering of Public Schools – based on President Alfond’s constituent comments. Not yet published – may include: Three public meetings within the catchment area prior to the charter school application as a requirement of the application process – could be three meetings in each town of the catchment area. We do not in our rules require applicants to host a public meeting – *“’We are applying for a charter, this is our proposal and receiving feedback.’”* Not a Commission meeting; the applicant responsible for holding the public meeting prior to submission of the application for a charter school.

Jana and I have meetings, for understanding and conversation, scheduled with Rep. Daughtry and Rep. Malaby this afternoon and Rep.Kusiak, Fairfield, tomorrow.

LD 889 – Rep. Bennett, Kennebunk: An Act To Adjust Funding Forwarded from School Districts to Charter Schools Reduces the amount from state to charter schools.

Number of LD’s changing the calculation of the funding for charter schools. Lessening the EPS amount is going to endanger the ability of charter schools to operate or even apply. LD 233 pulled because Senator felt enough funding bills in consideration.

We are top-rated in the country for charter school laws and we should celebrate that with the legislators. We have a pamphlet we provide to the legislators, which includes the Commission mission statement, table of 8/31/12 and 5/1/12 RFP actions, Glossary for MCSC, Maine’s Public Charter School Law Title 20-A Chapter 112, MCSC News Release 2/5/13.

Governor’s Budget for the Commission – March 18th – Commission is scheduled to present its budget to Appropriations and Education and Cultural Affairs Committees.

In Jana and Dick’s absence, Bob will present.

Governor’s Budget – please find copy at end of these Minutes.

There is some for consultants; not money for travel to conferences. The 3% (estimated $18,000) from schools could be used for consultants or travel – commission’s business.

We can use the money appropriated as we see fit – not appropriated by line item.

Only an indication of where the funds would go – personnel and all other. “All Other” you can spend any way you want. Office and Information technology is fixed costs. Positions 30 hours per week; some weeks 40 and others 20 or 25 hours as needed.

Making state positions is cost prohibitive – yearly cost of benefits is nearly equal to yearly salary of administrative assistant.

As long as the role of the commission members stays the same and you are willing to “put the time in” currently being done, the office staff can remain the same. If the ability of the members to do the work they are currently doing changes, the Commission will need to re-evaluate the staff expectations in hours.

**Stipends** – Mr. Millett said “’budget is very, very tight.’” So stipends were taken out.

With Elaine Babb’s help, doing a change to attempt to add the stipends back into the budget.

**Fiddlehead** – Shelley, William, Jana

March 20; 10 a.m. in Augusta preparation for negotiations.

April 1,3 or 5 for first negotiations

**Harpswell** – Dick, Heidi, John

Prep for Negotiations: March 11 by phone – 10:00 a.m.

First Negotiations: April 8 or 10th 9:30 a.m.

New Business

**Baxter** –

This morning we had a discussion on Baxter Academy for Technology and Science. We received a letter from Baxter stating they have reached 158 students by March 1 and another 10 over the weekend. They have reached the numbers that we required for them for us to continue with their contract.

I would like to have a motion to accept. We have it right here.

Dick Barnes: **I move that Baxter Academy of Technology and Science has satisfied the requirement of a minimum of 150 students. The requirement no longer needs to be written into the contract and the contract negotiations can be finished.**

John Bird and Heidi Sampson: Second.

Jana Lapoint: Is there any discussion?

James Banks: Have the students been verified?

Jana Lapoint: - It has been done.

James Banks: Did you do it?

Jana Lapoint: No, they did. They got on the phone and we asked them if they would call at least one out of every ten to verify when we met with them earlier last week and they said yes, that they would. So we are accepting that they did that; the governing board members of Baxter. So we did not ask that they had to turn it in to us. We just said would you please do this. It is a good thing for them anyway. They started a while ago; so why not just contact one out of every ten - just to say: *We are just checking in. We are about to go into contract; we want to be sure that you are still interested in coming to Baxter*. And they said yes they would take care of that. I wasn’t about to say that I want to see the names of the people that you contacted. I thought that was pushing it a little too much. But as long as they can verify they had done that. 1.35.17 We also asked them to verify ahead of time that they did not have more than 10% of any of the schools coming out of the Portland area. And they have also done that and said they are fine. There won’t necessarily be a lottery; they may end up with one, but at the moment, it doesn’t seem like they will have to have that. They will put the additional 10 names will go on a first-come-first serve, dated - when they received those applications – then if it has to be, they will be taken according to those numbers.

William Shuttleworth: That budget was based on a line of credit. Is the line of credit still secure with the change in leadership?

Jana Lapoint: The line of credit is being adjusted to Bangor Savings and we will know, before the contract, obviously, is completed that it has been secured for the half million dollars as it was with Sun Trust. They were working on it a week ago and it was going before the FAME board to approve it at 90%. We are just waiting to hear back that FAME took care of that. They will submit an adjusted budget as well.

William Shuttleworth: What is the time frame for that?

Dick Barnes: We don’t have to settle this contract until June.

William Shuttleworth: So then we will know about all the other things in terms of the lease will be secure too?

Dick Barnes: As you know, there was an issue about how many freshman, how many sophomores, that is ready to be dealt with. The only prohibition to going to contract was they had to have 150 students and we asked for some level of verification be given to us. That is why I am comfortable making the motion. Now the contract – there is still a few of those issues, maybe several, that we are going to keep working on them. Just as we will be with Harpswell and Fiddlehead.

William Shuttleworth: So we are not authorizing the signing of the contract today?

Jana Lapoint; Not today.

Dick Barnes: They don’t have a contract until the contract is voted on and signed by the chair of the respective governing boards – authorizing governing boards.

James Banks: If you are satisfied and that the verification took place and that everything and the line of credit is being worked on and all the other necessary things that have come before you, then I am satisfied too. I was just interested and trying to make sure that we as a commission have made sure that we did our due diligence and that the requirements and the needs were being met. And, I am sure it was. It is on the record that you checked. And I think everything is fine.

Jana Lapoint: It was based on your recommendation. So when we met with them we said this is something we would like you to do. So it was up to them to go ahead and they said yes that they had checked. And, if you think about it, well I guess they could have picked certain ones to just do; but they didn’t. They just …

Bob Kautz: We said it had to be a random selection.

Jana Lapoint: They thought it was a good thing; because of the time from when some of the people first signed an intent to want to go to the school they thought this is a good thing to do because now we can find out whether or not they have the same interest they did before because there has been a period of time.

James Banks: It was not because it was a large number, but because it was the deal breaker. That is why I was interested in it. I didn’t ask you to check Cornville’s or any of the others only because it wasn’t part of their getting a contract. To make sure everything was above board and that we did our work. I am going to vote positive today because I want to see it go to the next step.

William Shuttleworth: Second half: the requirement no longer needs to be written into the contract. Our contract is based on a minimum number of students enrolled because we approve the budget, correct? Has Sarah vetted this motion?

Bob Kautz: Yes, she did. What she is referencing is the requirement – the reference that the requirement of 150 by March 15th was in the draft that was being considered – but no longer has to be considered because they have met that requirement so it’s now go on with the rest of the contract and there just won’t be a reference.

William Shuttleworth: We have had some struggles with previous motions that I worded and I just want to be sure. I wouldn’t want to come back here in June and they only have 140; but that is ok because it is no longer written in the contract. I just want to be sure we don’t trip ourselves up inadvertently by unintended language. The budget won’t go unless they have a certain number of students.

Jana Lapoint: They are making adjustments to that budget now. They are already in the process of doing other things. I think they will be fine. We have been dealing with Kelli Pryor, who is chair of Baxter Academy. I think everything is set to move in that direction and if it doesn’t, they’ll be back.

Any other discussion? None.

All those in favor? Opposed? Motion carried unanimous.

Jana Lapoint: Presented: Maine Charter School Commission honors James A. Banks, Sr. first Commission President 2012. The principals you followed to ensure our charter work be done with ethical conduct to charter only high quality schools and to insist on the best education for all Maine Students. You always spoke your mind, but you were a willing listener. Presented by the Commission March 5, 2013.

Jim’s statement:



Heidi Sampson: Information on Poland virtual school visit on March 29th. Needs head count for visit.

Meeting adjourned at 3:03 p.m.

Respectfully submitted: Deanne Lavallee 4/8/13

Approved by: R. Kautz 5/2/13



